

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
OCTOBER 25, 2004

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Ricky Jackson
INVOCATION	Reverend Rocky Anthony Second Presbyterian Church

PLEDGE OF ALLEGIANCE

ROLL CALL

MALONE	<u>Approval of Minutes of Previous Sessions</u>
ADOPTED	September 13, 2004
	September 16, 2004
	September 27, 2004

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

- | | | |
|----------------|------------|--|
| LOEFFEL | 1. | Resolution honoring the 50th Anniversary of Lipscomb & Pitts Insurance, LLC. |
| ADOPTED | | |
| MOSS | 2. | Memorial resolution in honor of Mr. Henry Marmon. |
| ADOPTED | | |
| LILLARD | 3. | Memorial resolution in honor of Mr. David Bennett. |
| ADOPTED | | |
| FORD | 3A. | Memorial resolution in honor of Mr. Charles McFadgon. |
| ADOPTED | | |

Ordinances

**FORD
ADOPTED**

4. **ORDINANCE – SECOND READING** – An Ordinance amending Section 12-38(c) of the Shelby County Code formerly Section 19 of Chapter 110 of the Private Acts of 1971 in order to add language establishing a time limit and other conditions for eligibility for the Civil Service Classified Fallback Position in employment with Shelby County Government.

Zoning and Subdivisions

**MOSS
ADOPTED
(A-B)**

5. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**LILLARD
ADOPTED**

6. Resolution to convey two delinquent tax parcels to the City of Memphis for conversion of Walter Simmons Housing Development to an Engineering Support Facility and Police Precinct.

**LILLARD
ADOPTED**

7. Resolution rescinding the sale of eleven delinquent tax parcels from Tax Sale(s) 95.1, 95.2, 96.2, 97.3, 97.4, 98.2, 99.1, and 99.2 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.

**LILLARD
ADOPTED**

8. Resolution approving the sale of twelve delinquent tax parcels from Tax Sale(s) 55, 82.1, 89.4, 89.7, 94.2, 94.4, 97.3, 97.4, and 98.2 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.

**THOMPSON
ADOPTED**

9. Resolution authorizing the Shelby County Division of Corrections to accept and expend awarded grant funds from the State of Tennessee Commission on Children and Youth for the implementation of “Project Reach” and amending the FY 2004/2005 Operating Budget of the Division of Corrections.

**THOMPSON
ADOPTED**

10. Resolution approving Intergovernmental Agreement between the City of Arlington and County of Shelby, Tennessee in connection with Division 14 of General Sessions Court for enforcement of city ordinances involving environmental violations.

**THOMPSON
ADOPTED**

11. Resolution amending the FY 2005 Operating Budget in the amount of \$104,153.00 to account for State Criminal Alien Assistance Program grant funds for the Shelby County Sheriff and Division of Corrections.

THOMPSON ADOPTED	12.	Resolution amending the FY 2004/2005 Operating Budget and authorizing the Shelby County Mayor to execute a grant agreement with the State of Tennessee Department of Transportation – Governor’s Highway Safety Office for Police Traffic Services Program in the amount of \$75,000.00.
THOMPSON ADOPTED	13.	Resolution amending the FY 2004/2005 Operating Budget and authorizing the Shelby County Mayor to execute a grant agreement with the State of Tennessee Department of Transportation - Governor’s Highway Safety Office for the Metro DUI Unit Project in the amount of \$150,000.00.
THOMPSON ADOPTED	14.	Resolution amending the FY 2004/2005 Shelby County Operating Budget of the Juvenile Court of Memphis and Shelby County as per Exhibit A. This project is funded by the Bureau of Justice, Office of Justice Programs.
LILLARD ADOPTED	15.	Resolution to approve a grant agreement with the U.S. Department of Justice, Office of Justice Programs, in the amount of \$148,532.00 and amending the FY 2004/2005 Operating Budget of the Crime Victims Center.
WILLINGHAM ADOPTED	16.	Resolution approving the transfer of title of seventy-one parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Homestead Program.
WILLINGHAM ADOPTED	17.	Resolution approving the transfer of title of one parcel of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Homestead Program.
WILLINGHAM ADOPTED	18.	Resolution approving the transfer of title of fifty-four parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Homestead Program.
THOMPSON ADOPTED	18A.	Resolution amending Resolution #32 adopted on August 23, 2004, to amend the operating budget to provide funding for the staffing of the civil courts by the Sheriff’s Department at the current level for the remainder of the fiscal year and approving the continued review of this issue by the Law Enforcement Committee

MOSS
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD
ADOPTED

19. Resolution approving the County Mayor's nomination of Harry Goldsmith for reappointment, and Patricia Turner and Ed Stanton for appointment to serve on the *Memphis and Shelby County Center City Commission*.

FORD
ADOPTED

20. Resolution approving the County Mayor's nomination of Lee Jackson and John Oros for reappointment, and Jason Fair for appointment to serve on the *Memphis and Shelby County Convention Center Commission*.

FORD
ADOPTED

21. Resolution approving the appointment of two employee members to the *Unified Personnel Policy Committee (UPPC)*.

FORD
ADOPTED

22. Amendment to resolution approving the county mayor's nomination of Carol Crawley for reappointment, and the appointment of Mary Sharp and David Harris to the *Memphis and Shelby County Center City Downtown Parking Authority*, so as to indicate joint city-county appointment of David Harris.

FORD
ADOPTED

23. Amendment to resolution approving the county mayor's nomination of Humphrey Folk, Jr. for appointment to the *Memphis and Shelby County Port Commission*, so as to read Humphrey E. Folk III.

FORD
ADOPTED

24. Amendment to resolution approving the county mayor's nomination of Paul Brown and Wesley Grace for reappointment, and of Martin Truitt, Johnny Moore, and Cheryl Patterson for appointment to the *Memphis and Shelby County Center City Revenue Finance Corporation*, so as to indicate joint city-county appointment of Cheryl Patterson.

Ordinances

Zoning and Subdivisions

**MOSS
ADOPTED**

- 25. CASE NO. P.D. 04-340 CC**
APPLICANT: **Hacks Cross Partners, G.P.**
- LOCATION:** **West side of Hacks Cross Road;
 +/- 1,124.08 feet south of Shelby Drive**
- REQUEST:** **A planned development amendment
 to permit single family residential in
 Parcel B and to create Parcel E to
 permit Planned Commercial (C-P) and
 Parcel F to permit General Office (O-
 G) District uses within the Outline
 Plan.**

**Memphis and Shelby County Office of Planning and
Development recommendation:
 REJECTION**

**Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)**

**MOSS
ADOPTED**

- 26. CASE NO. P.D. 04-347 CC**
APPLICANT: **David Miller**
- LOCATION:** **North side of Macon Road; +809.28
 feet east of Appling Road**
- REQUEST:** **A planned development to permit 56
 single family detached lots with a
 minimum 3,622 foot lot size within
 the plan.**

**Memphis and Shelby County Office of Planning and
Development recommendation:
 APPROVAL WITH CONDITIONS**

**Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)**

**MOSS
ADOPTED**

- 27. CASE NO. P.D. 04-348 CC**
APPLICANT: **Loyal Featherstone**
- LOCATION:** **North side of Holmes Road; +483.14
feet west of Gertrude Street**
- REQUEST:** **A planned development to permit 20
single family detached lots with a
minimum lot size of 10,000 square
feet within the plan.**
- Memphis and Shelby County Office of Planning and
Development recommendation:**
 APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board
recommendation:**
 APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)**

**MOSS
ADOPTED**

- 28. CASE NO. P.D. 04-354 CC**
APPLICANT: **Coastal Fuels, Inc.**
- LOCATION:** **West side of Macon View Drive; +230
feet south of Macon Road**
- REQUEST:** **Amend an existing mixed use
planned development to permit a
specialty meats market in Parcel 4**
- Memphis and Shelby County Office of Planning and
Development recommendation:**
 APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board
recommendation:**
 APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)**

**MOSS
ADOPTED
AS AMENDED**

- 29. CASE NO. P.D. 04-355 CC *(Companion Case: Z 04-126 CC)***
APPLICANT: **Mid-America Theological
Seminary/Dexter Development
Partners**
- LOCATION:** **Southeast corner of Goodlett Farms
Parkway and Garrett Ridge Road**
- REQUEST:** **A development of 178 apartment
units as an ancillary use for a
college, university or seminary**
- Memphis and Shelby County Office of Planning and
Development recommendation:**
 APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)

**MOSS
ADOPTED**

30. **CASE NO. Z 04-126 CC** (*Companion Case: P.D. 04-355 CC*)
APPLICANT: Mid-America Baptist Theological
Seminary/Bellevue Baptist Church
- LOCATION:** Northwest corner of Appling Road
and Goodlett Farms Parkway
- REQUEST:** Take property out of the Light
Industrial (I-L) Use District and
include it in the College University
(C-U) Use District

Memphis and Shelby County Office of Planning and
Development recommendation:
Tract A: **APPROVAL**
Tract B: **CONVERT TO PLANNED DEVELOPMENT**

Memphis and Shelby County Land Use Control Board
recommendation:
Tract A: **APPROVAL**
Tract B: **CONVERT TO PLANNED DEVELOPMENT**

(Notice of public hearing published in the Daily News on
Friday, October 15, 2004.)

Reports and/or Resolutions for Standing Committees

**LILLARD
ADOPTED**

31. Resolution authorizing the execution and delivery of an *Interest Rate Swap Agreement*, including related schedules and confirmations with RFPC, LLC relative to the county’s General Obligation Public Improvement and School Bonds, 1999 Series B (the “1999 Series B Bonds”) and any bonds which may be issued to refund such bonds; authorizing the issuance of a series of General Obligation Refunding Bonds of Shelby County, Tennessee, in the original principal amount of not exceeding Eighty Million Dollars (\$80,000,000.00) pursuant to Sections 9-21-901 through 9-21-916, of the Tennessee Code Annotated (the “TCA”) for the purpose of refunding all or a portion of the county’s General Obligation Public Improvement and School Bonds, 1999 Series B; ratification of all actions taken by the Director of Administration and Finance, county officials and their agents in obtaining the report of the Director of Local Finance relative to the execution and delivery of an Interest Rate Swap Agreement in connection with the 1999 Series B bonds and any bonds which refund the 1999 Series B bonds; authorizing proper officials to do all other things deemed necessary or advisable in connection with effecting this resolution; and providing an effective date.

Announcements/Statements

32. Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.
 - a. Resolution approving the county mayor's nomination of Joyce Blackmon for appointment to the *Memphis and Shelby County Film Commission*.

Adjournment

**BOLTON
ADOPTED**

33. Resolution of Adjournment to November 8, 2004, at 1:30 p.m.

AGENDA # 5
OCTOBER 25, 2004

5A

SUBDIVISION: COLEY PLACE SUBDIVISION (S 02-028 CC)

DEVELOPER: COLEY PLACE JOINT VENTURE

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO COLEY PLACE SUBDIVISION (S 02-028 CC)

LOCATION: NORTHWEST CORNER OF BRIDGEWATER ROAD AND BAPTIST CHURCH ROAD

5B

SUBDIVISION: WOODLAND HILLS P.D., PHASE 20, PARCEL 4 (P.D. 02-306 CC)

DEVELOPER: FIRST TENNESSEE BANK NATIONAL ASSOCIATION

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WOODLAND HILLS P.D., PHASE 20, PARCEL 4 (P.D. 02-306 CC)

LOCATION: WEST SIDE OF HOUSTON LEVEE ROAD; +1300 FEET SOUTH OF MACON ROAD

[For questions regarding the Agenda,
please call Grace Hutchinson, Chief Administrator, at 545-4301.]